

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

KEITH BELL,
Plaintiff,

v.

EAGLE MOUNTAIN-SAGINAW
INDEPENDENT SCHOOL DISTRICT,
Defendant.

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CIVIL ACTION NO. 4:20-cv-1157-P

**JOINT MOTION FOR LEAVE OF COURT TO CONDUCT MEETING BY
VIDEOCONFERENCE AND TO EXTEND THE DEADLINE
TO CONFER AND FILE RULE 26(f) REPORT**

TO THE HONORABLE UNITED STATES DISTRICT JUDGE:

NOW COMES Defendant Eagle Mountain-Saginaw Independent School District (hereinafter, “the District,” or “EMSISD”) files this Joint Motion for Leave of Court to Conduct Meeting By Videoconference and to Extend the Deadline to Confer and File Rule 26(f) Report, and would show the Court the following:

1. On February 5, 2021, the Court ordered lead counsel for each party (or designee attorney with appropriate authority) to confer in a face-to-face conference as soon as practicable, and consider (1) the nature and basis for their claims and defenses; (2) the possibilities for a prompt resolution of the case; (3) to make or arrange for the disclosures required by Federal Rule of Civil Procedure 26(a)(1) and to prepare the Joint Report as described in its order. (Docket Entry (“DE”) 14). The order also specifically requires the parties to conduct the Scheduling Conference in person and to file a Joint Report by no later than February 19, 2021.
2. Counsel for the parties planned to meet in person on Tuesday, February 16, 2021. However, due to the inclement weather that began this weekend, counsel realized that road conditions will make travel for an in-person meeting impracticable and unsafe. The road conditions are expected

to remain the same throughout this week, and as such, counsel expect that they will be prevented from meeting in person until after the February 19, 2021 deadline.

3. Counsel for the parties are available to have a videoconference, which has the capability for counsel to see one another on video. For this reason and given the hazardous conditions, the parties file this motion to request leave of court to meet via videoconference this week for purposes of the Rule 26(f) conference. Internet and power for counsel has, however, been intermittent. Accordingly, the parties also ask that the deadline to meet be extended until Friday, March 5, 2021 and that the deadline to file a Joint Report be extended to Friday, March 12, 2021. The parties will endeavor to meet via videoconference as soon as conditions allow and will file the Joint Report as soon as practicable.

4. Alternatively, should the Court require an in-person meeting, the parties respectfully request that the deadline to hold an in-person conference be extended to Friday, March 5, 2021 and that the deadline to file a Joint Report be extended to Friday, March 12, 2021.

5. The parties do not file this motion for purposes of delay but so justice may be done.

WHEREFORE PREMISES CONSIDERED, the parties ask the Court to grant their request to meet via videoconference this week for purposes of the Rule 26(f) conference, to extend the deadline for the conference to Friday, March 5, 2021, and to extend the deadline to file a Joint Report to Friday, March 12, 2021. Alternatively, should the Court require an in-person conference, the parties respectfully request that the deadline to hold an in-person conference be extended to Friday, March 5, 2021 and that the deadline to file a Joint Report be extended to Friday, March 12, 2021.

Respectfully submitted,

/s/ Kelley L. Kalchthaler

KELLEY L. KALCHTHALER

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***ATTORNEYS FOR
DEFENDANT EAGLE MOUNTAIN-
SAGINAW INDEPENDENT SCHOOL
DISTRICT***

CERTIFICATE OF CONFERENCE

Ms. Kalchthaler and Ms. Walker conferred with Mr. Norred on February 14, 15, and 16, 2021 regarding this motion. Mr. Norred confirmed that he is in agreement with this joint motion.

/s/ Kelley L. Kalchthaler

KELLEY L. KALCHTHALER

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of February, 2021, a true and correct copy of the above and foregoing document was served upon all counsel of record as follows:

Warren V. Norred
NORRED LAW, PLLC
515 E. Border Street
Arlington, Texas 76010

Via Electronic Case Filing

/s/ Kelley L. Kalchthaler

KELLEY L. KALCHTHALER